

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF INDIANA

ELI LILLY AND COMPANY, *et. al.*, )  
  )  
  )  
   *Plaintiffs,*        )  
  )  
   v.                              ) C.A. No. 1:14-cv-00389-LJM-TAB  
  )  
  )  
ACCORD HEALTHCARE INC., USA, *et. al.*, )  
  )  
  )  
   *Defendants.*        )  
  )

**JOINT STIPULATION OF DISMISSAL AND ORDER**

IT IS HEREBY STIPULATED AND AGREED, by and between Eli Lilly and Company; Daiichi Sankyo Co., Ltd.; Daiichi Sankyo, Inc.; Ube Industries, Ltd.; Mylan Pharmaceuticals Inc.; Mylan Inc. and Mylan Laboratories Limited, though their undersigned counsel of record, that:

1. All claims, affirmative defenses and counterclaims in this action as between Eli Lilly and Company; Daiichi Sankyo Co., Ltd.; Daiichi Sankyo, Inc.; Ube Industries, Ltd., on the one hand, and Mylan Pharmaceuticals Inc.; Mylan Inc. and Mylan Laboratories Limited, on the other hand, are dismissed with prejudice.
2. This Court retains jurisdiction over disputes arising out of the implementation of the Settlement Agreement.
3. Eli Lilly and Company; Daiichi Sankyo Co., Ltd.; Daiichi Sankyo, Inc.; Ube Industries, Ltd.; Mylan Pharmaceuticals Inc.; Mylan Inc. and Mylan Laboratories Limited shall each bear their own costs and attorney fees.

4. Eli Lilly and Company; Daiichi Sankyo Co., Ltd.; Daiichi Sankyo, Inc.; Ube Industries, Ltd.; Mylan Pharmaceuticals Inc.; Mylan Inc. and Mylan Laboratories Limited each expressly waive any right to appeal or otherwise move for relief from this Stipulation of Dismissal.

/s/ Adam L. Perlman

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*Attorneys for Defendants/Counterclaim-  
Plaintiffs Mylan Pharmaceuticals Inc., Mylan  
Inc., and Mylan Laboratories Ltd.*

**IT IS SO ORDERED, DECREED, AND ADJUDGED** this \_\_\_\_ day of \_\_\_\_\_, 2016 by:

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The Honorable Larry J. McKinney  
United States District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that, on this 2nd day of November 2016, the preceding document was filed electronically through the Court's CM/ECF system. Notice of this filing will be sent to all counsel of record by operation of the Court's electronic filing system.

/s/ Adam L. Perlman